

SENATE, No. 693

STATE OF NEW JERSEY

INTRODUCED MARCH 9, 1972

By Senators SCHIAFFO, WOODCOCK, WENDEL and HAGEDORN

Referred to Committee on Judiciary

AN ACT concerning elections and amending and supplementing the
"Absentee Voting Law (1953)," approved July 1, 1953 (P. L.
1953, c. 211).

1 BE IT ENACTED *by the Senate and the General Assembly of the*
2 *State of New Jersey:*

1 1. Notwithstanding any provision of law to the contrary, any
2 county may adopt a system of electronic scanning, punch cards or
3 other mechanical or electronic device, which system has been pre-
4 viously approved by the Secretary of State, to be used in counting
5 or canvassing absentee ballots. The county clerk in any county
6 adopting such a system may prepare and use absentee ballots that
7 do not conform generally to the ballot to be used at said election to
8 the extent that such nonconformance is necessary in the operation
9 of the electronic or mechanical canvassing system.

10 In preparing the absentee ballot, the county clerk shall insert
11 the names of the candidates on the appropriate ballot, punch card
12 or other device in the same order in which they appear on the
13 official ballot with full instructions to the voter as to how to mark
14 or puncture the ballot.

1 2. Section 14 of P. L. 1953, c. 211 (C. 19:57-14) is amended to
2 read as follows:

3 14. Each absentee ballot to be used at any election to be held
4 while this act is in effect shall be printed entirely in black ink and,
5 *except as otherwise provided*, shall conform generally to the ballot
6 to be used at said election in the absentee voter's election district
7 and shall be so prepared that the absentee voter may indicate
8 thereon his choice of such of the candidates for the offices to be
9 filled, and as to such public questions to be voted upon, at said
10 election by the voters of the entire State or of the county in which
11 such absentee voter's election district is situated, as shall be
12 ascertained and known on the thirty-fourth day preceding such

13 election and sufficient space shall be provided thereon for such
14 absentee voter to write in the name of and vote for any candidate
15 for, or his personal choice for, any public office to be voted for
16 at such election in such election district. A list of the candidates
17 for the offices to be filled in each election district in the county,
18 whose names are known and ascertained on said thirty-fourth day
19 but do not appear upon said ballot, with a statement of the office for
20 which each is a candidate, shall be forwarded with such ballot.

21 In the preparation of absentee ballots the name of any candidate
22 who has been nominated for any office shall be placed upon the
23 absentee ballot or list of candidates, as the case may be, to be used
24 in the general election to be held in said year in each election district
25 in which he is a candidate, whether or not such candidate has ac-
26 cepted such nomination prior to said date; provided, that he has
27 not prior to said date declined the same.

1 3. Section 15 of P. L. 1953, c. 211 (C. 19:57-15) is amended to
2 read as follows:

3 15. Each absentee ballot to be used at any primary election for
4 the general election to be held while this act is in effect shall, *except*
5 *as otherwise provided*, conform to the ballot to be used at said
6 election in the absentee voter's election district and to the form
7 herein prescribed for absentee ballots to be used in such general
8 elections except that it shall be so prepared that the absentee voter
9 may indicate thereon his choice of the candidates of one political
10 party for each of the officers to be voted upon at said election by
11 the voters of said election district and shall be separated into party
12 ballots, which shall all be printed upon one sheet. If the county
13 clerk through investigating the voter's voting record has ascer-
14 tained that under the laws of this State such voter is qualified to
15 vote only in a certain party primary he shall so indicate upon the
16 primary ballot the party primary in which such voter is so entitled
17 to vote.

18 Each such absentee ballot shall be plainly marked to indicate
19 that but one party ballot is to be voted by each absentee voter and
20 that the party ballot voted by him must conform to the name of the
21 political party indicated on the certificate on the flap of the inner
22 envelope in which the absentee ballot is to be enclosed and there
23 shall also be indicated upon said ballot the qualifying statement
24 appearing in said certificate and governing such absentee voter's
25 choice of the party ballot.

1 4. This act shall take effect immediately.

SENATE JUDICIARY COMMITTEE

STATEMENT TO

SENATE, No. 693

STATE OF NEW JERSEY

DATED: MAY 4, 1972

This bill would allow a county to adopt an electronic system of voting by absentee ballot if the system was first approved by the Secretary of State.

This bill amends the current absentee ballot law in order to allow for absentee ballots which do not conform to the make up of the ballot generally used for the primary or the general election.

The county clerk would be required to use the same order for candidates as they appear on the regular ballot when placing names on an absentee ballot which is part of an electronic system.